## UNITED STATES OF AMERICA BEFORE THE NATIONAL LABOR RELATIONS BOARD

EUROPA AUTO IMPORTS, INC., d/b/a MERCEDES-BENZ OF SAN DIEGO

**Employer** 

and

Case 21-RC-21210

INTERNATIONAL ASSOCIATION OF
MACHINISTS AND AEROSPACE WORKERS,
AFL-CIO, DISTRICT LODGE 190
Petitioner

## ORDER

Employer's Request for Review of the Acting Regional Director's Decision and Direction of Election raises substantial issues solely with regard to the exclusion of Roadside Assistance Technician Faber, Technician/Shop Foreman Bersinger, and PDI Technicians Switzer and Casanova, from the unit of flat-rate technicians and hourly Smart technicians. The Board concludes, however, that these issues may best be resolved through the use of the Board's challenge procedure. Accordingly, the Acting Regional Director's Decision is amended to permit Roadside Assistance Technician Faber, Technician/Shop Foreman Bersinger, and PDI Technicians Switzer and Casanova to vote under challenge, and the Employer's Request for Review is denied in these and all other respects.

CRAIG BECKER, MEMBER

MARK GASTON PEARCE, MEMBER

BRIAN E. HAYES, MEMBER

Dated, Washington, D.C., August 31, 2010.